EXHIBIT 22

1   BOIES, SCHILLER & FLEXNER LLP
   RICHARD J. POCKER (NV Bar No. 3568)
2   300 South Fourth Street, Suite 800
   Las Vegas, NV 89101
3   Telephone: (702) 382-7300
   Facsimile: (702) 382-2755
4   rpocker@bsfllp.com

5   BOIES, SCHILLER & FLEXNER LLP
   STEVEN C. HOLTZMAN (*pro hac vice*)
6   FRED NORTON (*pro hac vice*)
   KIERAN P. RINGGENBERG (*pro hac vice*)
7   1999 Harrison Street, Suite 900
   Oakland, CA 94612
8   Telephone: (510) 874-1000
   Facsimile: (510) 874-1460
9   sholtzman@bsfllp.com
   fnorton@bsfllp.com
10 kringgenberg@bsfllp.com

11 Attorneys for Plaintiffs Oracle USA, Inc.,
   Oracle America, Inc., and Oracle International
12 Corporation

BINGHAM MCCUTCHEN LLP
GEOFFREY M. HOWARD (*pro hac vice*)
BREE HANN (*pro hac vice*)
THOMAS S. HIXSON (*pro hac vice*)
KRISTEN A. PALUMBO (*pro hac vice*)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: 415.393.2000
Facsimile: 415.393.2286
geoff.howard@bingham.com
bree.hann@bingham.com
thomas.hixson@bingham.com
kristen.palumbo@bingham.com

DORIAN DALEY (*pro hac vice*)
DEBORAH K. MILLER (*pro hac vice*)
JAMES C. MAROULIS (*pro hac vice*)
ORACLE CORPORATION
500 Oracle Parkway
M/S 5op7
Redwood City, CA 94070
Telephone: 650.506.4846
Facsimile: 650.506.7114
dorian.daley@oracle.com
deborah.miller@oracle.com
jim.maroulis@oracle.com

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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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18 ORACLE USA, Inc., a Colorado corporation;
   ORACLE AMERICA, INC., a Delaware
19 corporation; and ORACLE INTERNATIONAL
   CORPORATION, a California corporation,

20   Plaintiffs,

21   v.

22 RIMINI STREET, INC., a Nevada corporation;
   and SETH RAVIN, an individual,

23   Defendants.

24

Case No. 2:10-cv-0106-LRH-PAL

ORACLE INTERNATIONAL CORPORATION'S FIRST SET OF REQUESTS FOR ADMISSIONS TO RIMINI STREET

25 PROPOUNDING PARTY: Plaintiff Oracle International Corp.

26 RESPONDING PARTY: Defendant Rimini Street, Inc.

27 SET NO.:   One

28

A/74459404.7

Case No. 2:10-cv-0106-LRH-PAL

ORACLE INTERNATIONAL CORPORATION'S
FIRST SET OF REQUESTS FOR ADMISSIONS TO RIMINI STREET

1   Pursuant to Federal Rules of Civil Procedure 26 and 36, Plaintiff Oracle International Corp.

2   ("Oracle") hereby requests that Defendant Rimini Street, Inc., answer the following requests for

3   admission.

4   **I.   DEFINITIONS**

5   The term "Code Objects" shall refer to files containing more than a *de minimis* or trivial

6   amount of protectable expression, as discussed in *Newton v. Diamond*, 388 F.3d 1189, 1192-93 (9th

7   Cir. 2003). For J.D. Edwards, Code Objects shall include c. and .h files. For PeopleSoft, Code

8   Objects shall include COBOL, SQR, SQC, and DAT files.

9   The term "Complete or Partial Copy" shall refer to a copy of all or a portion of Oracle

10   Enterprise Software containing a substantial portion of the protected expression for a corresponding

11   copyright registration alleged by Oracle in its Second Amended Complaint, Dkt. 146.

12   The term "Environment" shall refer to a Complete or Partial Copy of Oracle Enterprise

13   Software created by installing that software from Installation Media or by copying an existing

14   Environment.

15   The term "Installation Media" shall refer to any CD, DVD, download, electronic file, or

16   similar item that can be or has been used to install Oracle Enterprise Software or Oracle Database

17   Software.

18   The term "Oracle Database Software" shall refer to Oracle's Oracle-branded database

19   Software and Support Materials.

20   The term "Oracle Enterprise Software" shall refer to Oracle's J.D. Edwards-branded,

21   PeopleSoft-branded, and Siebel-branded enterprise Software and Support Materials.

22   The term "PeopleSoft Enterprise Software" shall refer to Oracle's PeopleSoft-branded

23   Customer Relationship Management, Enterprise Performance Management, Financials & Supply

24   Chain Management, Human Resources Management Software (also called Human Capital

25   Management) and Student Administration (also called Campus Solutions) enterprise Software and

26   Support Materials.

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ORACLE INTERNATIONAL CORPORATION'S
FIRST SET OF REQUESTS FOR ADMISSIONS TO RIMINI STREET

1   The term "RAM Copy" shall refer to a copy "created in RAM" or "loaded into [a

2   computer's] RAM," in the sense those phrases are used in *MAI Systems Corp. v. Peak Computer,*

3   *Inc.*, 991 F.2d 511, 516-18 (9th Cir. 1993).

4   The term "Relevant Customer" shall refer to a customer that has contracted with Rimini

5   Street for support of Oracle Enterprise Software and that has licensed Oracle Enterprise Software

6   from Plaintiffs Oracle USA, Inc., Oracle America, Inc., Oracle International Corp., or their

7   predecessors-in-interests.

8   The term "Software and Support Materials" shall refer to software applications and

9   Environments, Code Objects, program updates, software updates, bug fixes, patches, custom

10   solutions, and/or instructional and knowledge base documents for any families of software products

11   provided by Oracle, including but not limited to Oracle Enterprise Software and Oracle Database

12   Software.

13   **II.   REQUESTS FOR ADMISSION**

14   **REQUEST NO. 1:**

15   Admit that any successful installation of Oracle Enterprise Software creates at least one

16   Environment.

17   **REQUEST NO. 2:**

18   Admit that creating a complete copy of an existing Environment creates at least one copy of

19   any and all Software and Support Materials present in that Environment.

20   **REQUEST NO. 3:**

21   Admit that copying an Environment located on one computer, network location, virtual

22   machine, storage device or physical media onto a second computer, network location, virtual

23   machine, storage device or physical media creates at least one complete copy of that Environment.

24   **REQUEST NO. 4:**

25   Admit that backing up an Environment creates at least one complete copy of that

26   Environment.

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ORACLE INTERNATIONAL CORPORATION'S
FIRST SET OF REQUESTS FOR ADMISSIONS TO RIMINI STREET

1   **REQUEST NO. 5:**

2   Admit that restoring a backed-up Environment creates at least one complete copy of that

3   Environment.

4   **REQUEST NO. 6:**

5   Admit that restoring a backed-up Environment located on one computer, network location,

6   virtual machine, storage device or physical media onto a second computer, network location, virtual

7   machine, storage device or physical media creates at least one complete copy of that Environment.

8   **REQUEST NO. 7:**

9   Admit that creating a copy of a virtual machine creates at least one complete copy of any

10 Environment present on that virtual machine.

11 **REQUEST NO. 8:**

12   Admit that copying a virtual machine located on one computer, network location, storage

13 device or physical media onto a second computer, network location, storage device or physical

14 media creates at least one complete copy of any Environment present on that virtual machine.

15 **REQUEST NO. 9:**

16   Admit that backing up a virtual machine creates at least one complete copy of any

17 Environment present on that virtual machine.

18 **REQUEST NO. 10:**

19   Admit that restoring a backed-up virtual machine creates at least one complete copy of any

20 Environment present on that virtual machine.

21 **REQUEST NO. 11:**

22   Admit that restoring a backed-up virtual machine located on one computer, network

23 location, storage device or physical media onto a second computer, network location, storage

24 device or physical media creates at least one complete copy of any Environment present on the

25 restored virtual machine.

26 **REQUEST NO. 12:**

27   Admit that restoring a backed-up virtual machine as a virtual machine with a different name

28 creates at least one complete copy of any Environment present on the restored virtual machine.

ORACLE INTERNATIONAL CORPORATION'S
FIRST SET OF REQUESTS FOR ADMISSIONS TO RIMINI STREET

REQUEST NO. 13:

Admit that creating a complete copy of Installation Media creates at least one copy of any and all Code Objects present on that Installation Media.

REQUEST NO. 14:

Admit that copying Installation Media located on one computer, network location, virtual machine, storage device or physical media onto a second computer, network location, virtual machine, storage device or physical media creates at least one complete copy of that Installation Media.

REQUEST NO. 15:

Admit that Installation Media constitutes a complete copy of the Oracle Enterprise Software or Oracle Database Software that it can be used to install.

REQUEST NO. 16:

Admit that loading an Environment for use creates at least one RAM Copy that is a Complete or Partial Copy of that Environment.

REQUEST NO. 17:

Admit that licenses granted by Oracle to Relevant Customers for Oracle Enterprise Software do not permit Relevant Customers to install licensed Software and Support Materials on computers neither owned nor leased by the customer.

REQUEST NO. 18:

Admit that licenses granted by Oracle to Relevant Customers for Oracle Enterprise Software do not permit Software and Support Materials licensed by one Relevant Customer to be used or copied for the economic benefit of a second Relevant Customer.

DATED: August 26, 2011   Bingham McCutchen LLP

By:_____
                                    Thomas S. Hixson
                                 Attorneys for Plaintiffs
                        Oracle USA, Inc., Oracle America, Inc., and
                            Oracle International Corporation

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1   **PROOF OF SERVICE**

2   I am over eighteen years of age, not a party in this action, and employed in

3   San Francisco County, California at Three Embarcadero Center, San Francisco, California

4   94111-4067. I am readily familiar with the practice of this office for collection and processing

5   of correspondence for email delivery, and they are sent that same day in the ordinary course of

6   business.

7   On August 26, 2011, I served the attached:

8   **ORACLE INTERNATIONAL CORPORATION'S FIRST**
            SET OF REQUESTS FOR ADMISSIONS TO DEFENDANT
9   **RIMINI STREET, INC.**

10   ☒   (VIA EMAIL) by transmitting via email the document(s) listed above on this date
            to the person(s) at the email address(es) set forth below.
11

12   Robert H. Reckers, Esq.
            Shook, Hardy & Bacon LLP
13   600 Travis Street, Suite 1600
            Houston, TX 77002
14   Email: rreckers@shb.com
15

16   I declare under penalty of perjury that the foregoing is true and correct and that

17   this declaration was executed on August 26, 2011, at San Francisco, California.

18

19   _____
                                                    Sharlyn Kim
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